

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 1101 - HB 1460

March 31, 2021

SUMMARY OF ORIGINAL BILL: Requires each local education agency (LEA) and public charter school to provide age and grade-appropriate instruction to students in grades five and eight on black history and culture. Requires the Department of Education (DOE) to provide internet resources and materials that may be used to educate students in grades Kindergarten through grade 12 (K-12) about black history.

FISCAL IMPACT OF ORIGINAL BILL:

Other Fiscal Impact – Revising current academic standards in social studies may result in LEAs and public charter schools having to purchase new textbooks for grades 5 and 8; however, the extent and timing of any mandatory textbook purchases cannot be determined prior to new standards being adopted by the SBE.

Accelerating the timing of when the review of social studies standards is conducted from 2023 to 2021 will result in a shift in the timing of when expenditures will occur for the conduction of such review; however, the net impact to the SBE is considered not significant. Any such expenditures will be paid using the reserve balance of the K-12 Academic Standards Review Fund.

SUMMARY OF AMENDMENT (006376): Deletes and rewrites all language after the enacting clause such that the substantive changes: (1) establish that LEAs and public charter schools are required to provide such instruction beginning with the 2025-26 school year; (2) limit the grades for which DOE is required to provide internet resources and materials for to grades 5 and 8; (3) require the State Board of Education (SBE) to include multicultural diversity when developing framework and curricula for grades K-12; (4) require academic standards in social studies adopted by SBE after July 1, 2021 to include black history and culture; and (5) establish requirements for academic standards in social studies for implementation in the 2025-26 and subsequent school years.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Other Fiscal Impact – Revising current academic standards in social studies may result in LEAs and public charter schools having to purchase new textbooks for grades 5 and 8; however, the extent and timing of any mandatory textbook purchases cannot be determined prior to new standards being adopted by the SBE.

Assumptions for the bill as amended:

- Tennessee Code Annotated § 49-1-311(b)(1) requires the State Board of Education (SBE) to review the standards for English language arts, mathematics, science, and social studies at least once every six years from the last adoption.
- SBE currently receives \$106,500 on an annual basis for academic standards review; and, pursuant to Tenn. Code Ann. § 49-1-311(c), unexpended funds in any fiscal year do not revert to the General Fund but are carried forward into subsequent fiscal years for use. As of November 18, 2020, the reserve balance of the K-12 Academic Standards Review Fund was \$235,999.
- Social studies standards are not scheduled for review until July 2023; it is assumed that that black history and culture will be included in July 2023 academic standards review for social studies.
- It is further assumed that requirements to include the history, heritage, and culture of all social, ethnic, gender, and national groups and individuals to be included in the academic standards for social studies, and implemented in schools by the 2025-2026 school year, will be included in the July 2023 review.
- The impact to the SBE is considered not significant as changes to the academic standards in social studies will be completed during the normal review cycle.
- The creation of new academic standards in social studies will require changes to Tennessee Comprehensive Assessment Program (TCAP) testing materials for 8th grade assessments; however, DOE's current contract with NCS Pearson, Inc. for the creation and administration of the TCAP allows for the modification of testing materials at no additional cost.
- Any increase in state expenditures for such alterations of the TCAP are considered not significant.
- Tennessee Code Annotated § 49-6-2202(b)(4) requires the State Textbook and Instructional Materials Quality Commission (Commission), in recommending textbooks and materials for social studies, to strive to recommend books that accurately and comprehensively portray the full range of diversity and achievement of racial and ethnic minorities.
- Tennessee Code Annotated § 49-6-2207 requires local boards of education to adopt textbooks and instructional materials from the list of approved materials established by the Commission. Textbooks and materials are required to be adopted for a period of no less than three years; however, the Commission is also authorized to grant waivers for schools regarding this adoption time.
- It is assumed that the current list of approved textbooks and instructional materials includes content pertaining to black history as encouraged by current law; however, it is

unknown if such materials will align with the new academic standards adopted by the SBE.

- For any schools that are required to adopt new textbooks following the revised academic standards and updated list of approved textbooks and materials, there will be a mandatory increase in local expenditures; however, because it is unknown what academic standards the SBE will ultimately adopt and if new textbooks and instructional materials will be required, a precise increase in local expenditures cannot be determined.
- DOE will be able to provide LEAs with internet resources and materials related to black history utilizing existing staff and resources; therefore, any increase in state expenditures is considered not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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